

prescription of, a person licensed under such laws to practice dentistry; or

(3) the construction or supply of dentures from impressions or casts made by a person not licensed under such laws to practice dentistry—

Shall be fined not more than \$1,000 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 786.)

#### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., §§ 420f, 420g, and 420h (Dec. 24, 1942, ch. 823, §§ 1, 2, 3, 56 Stat. 1087).

This section consolidates the offense, penalty, and definitive provisions of sections 420f, 420g, and 420h of title 18, U. S. C., 1940 ed., as subsections (a) and (b).

The definition of "denture" was omitted as unnecessary in view of the phraseology of the revised section, the context of which makes clear the meaning of dentures referred to.

The definition of "Territory" was omitted as unnecessary. The revised section makes clear the places included in the application of the section without the use of definitions.

The definition of "Interstate Commerce" was likewise omitted as unnecessary in view of definition of interstate commerce in section 10 of this title.

Changes of phraseology and arrangement were made, but without change of substance.

#### CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

#### CROSS REFERENCES

Jurisdiction and venue of offenses begun in one district and completed in another, see section 3237 of this title.

### Chapter 91.—PUBLIC LANDS

Sec.

- 1851. Coal depredations.
- 1852. Timber removed or transported.
- 1853. Trees cut or injured.
- 1854. Trees boxed for pitch or turpentine.
- 1855. Timber set afire.
- 1856. Fires left unattended and unextinguished.
- 1857. Fences destroyed; livestock entering.
- 1858. Survey marks destroyed or removed.
- 1859. Surveys interrupted.
- 1860. Bids at land sales.
- 1861. Deception of prospective purchasers.
- 1862. Trespass on Bull Run National Forest.
- 1863. Trespass on national forest lands.

#### AMENDMENTS

1949—Act May 24, 1949, ch. 139, § 41, 63 Stat. 95, amended analysis by striking out "1959" and inserting in lieu thereof "1859", and by adding item "1863. Trespass on national forest lands."

#### § 1851. Coal depredations.

Whoever mines or removes coal of any character, whether anthracite, bituminous, or lignite, from beds or deposits in lands of, or reserved to the United States, with intent wrongfully to appropriate, sell, or dispose of the same, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

This section shall not interfere with any right or privilege conferred by existing laws of the United States. (June 25, 1948, ch. 645, § 1, 62 Stat. 787.)

#### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., §§ 103a, 103b (July 3, 1926, ch. 780, §§ 1, 2, 44 Stat. 891).

Section consolidates sections 103a and 103b of title 18, U. S. C., 1940 ed.

Words "deemed guilty of misdemeanor" were deleted as unnecessary in view of definitive section 1 of this title. (See also reviser's note under section 212 of this title.)

Minor changes were made in phraseology.

#### CROSS REFERENCES

Entry on coal lands in general, see section 71 et seq. of Title 30, Mineral Lands and Mining.

Entry under nonmineral land laws of coal lands with reservation of coal to United States, see section 81 et seq. of Title 30, Mineral Lands and Mining.

Lease of mineral deposits within acquired lands, see section 351 et seq. of Title 30, Mineral Lands and Mining.

Leases and prospecting permits on lands containing coal, see sections 181 et seq., 201 et seq., of Title 30, Mineral Lands and Mining.

#### § 1852. Timber removed or transported.

Whoever cuts, or wantonly destroys any timber growing on the public lands of the United States; or

Whoever removes any timber from said public lands, with intent to export or to dispose of the same; or

Whoever, being the owner, master, pilot, operator, or consignee of any vessel, motor vehicle, or aircraft or the owner, director, or agent of any railroad, knowingly transports any timber so cut or removed from said lands, or lumber manufactured therefrom—

Shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

This section shall not prevent any miner or agriculturist from clearing his land in the ordinary working of his mining claim, or in the preparation of his farm for tillage, or from taking the timber necessary to support his improvements, or the taking of timber for the use of the United States; nor shall it interfere with or take away any right or privilege under any existing law of the United States to cut or remove timber from any public lands. (June 25, 1948, ch. 645, § 1, 62 Stat. 787.)

#### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 103 (Mar. 4, 1909, ch. 321, § 49, 35 Stat. 1098).

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Words "motor vehicle or aircraft" were inserted in third paragraph to remove any doubt as to scope of section in view of rapidly advancing methods of transportation.

Minor changes were made in phraseology.

#### CROSS REFERENCES

Cutting, destroying, or removing timber—

Alaska, cutting and use by settlers, etc., see section 423 of Title 48, Territories and Insular Possessions.

Crater Lake National Park, see section 123 of Title 16, Conservation.

Glacier National Park, see sections 162, 162a, and 167 of Title 16, Conservation.

Indian lands, removal from, see section 196 of Title 25, Indians.

Mineral lands, see sections 604—606 of Title 16, Conservation.

National Parks in general, see section 3 of Title 16, Conservation.

Notice of unlawful cutting, see section 605 of Title 16, Conservation.

Penalty for unlawful cutting, see section 606 of Title 16, Conservation.

Permits to cut for agricultural, mining or domestic purposes, see sections 45c, 604, 607—613 of Title 16, Conservation.

Purpose of cutting, effect on criminality of act, see section 607 of Title 16, Conservation.

Transferee of functions of register and receiver of local land office as required to ascertain legality of cutting or use, see section 605 of Title 16, Conservation.

Yellowstone National Park, see section 38 of Title 16, Conservation.

Yosemite National Park, regulations, see section 53 of Title 16, Conservation.

Seizure of timber exported from Territories of United States, see section 602 of Title 16, Conservation.

Transportation of timber produced by railroad not forbidden, see section 1 (8) of Title 49, Transportation.

#### § 1853. Trees cut or injured.

Whoever unlawfully cuts, or wantonly injures or destroys any tree growing, standing, or being upon any land of the United States which, in pursuance of law, has been reserved or purchased by the United States for any public use, or upon any Indian reservation, or lands belonging to or occupied by any tribe of Indians under the authority of the United States, or any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be fined not more than \$1,000 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 787.)

##### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 104 (Mar. 4, 1909, ch. 321, § 50, 35 Stat. 1098; June 25, 1910, ch. 431, § 6, 36 Stat. 857).

Reference to persons aiding or procuring was deleted as unnecessary since such persons are made principals by section 2 of this title.

Maximum fine was increased from \$500 to \$1,000 to conform to other comparable sections of this chapter. (See sections 1851 and 1852 of this title.)

Minor changes were also made in phraseology.

##### CROSS REFERENCES

General provisions relating to Indian lands and reservations, see Title 25, Indians.

Protection of national forests and violation of rules and regulations relating thereto, see section 551 of Title 16, Conservation.

#### § 1854. Trees boxed for pitch or turpentine.

Whoever cuts, chips, chops, or boxes any tree upon any lands belonging to the United States, or upon any lands covered by or embraced in any unperfected settlement, application, filing, entry, selection, or location, made under any law of the United States, for the purpose of obtaining from such tree any pitch, turpentine, or other substance; or

Whoever buys, trades for, or in any manner acquires any pitch, turpentine, or other substance, or any article or commodity made from any such pitch, turpentine, or other substance, with knowledge that the same has been so unlawfully obtained—

Shall be fined not more than \$1,000 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 788.)

##### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 105 (Mar. 4, 1909, ch. 321, § 51, 35 Stat. 1098).

Reference to persons aiding, encouraging, or causing was deleted as unnecessary since such persons are made principals by section 2 of this title.

Maximum fine was increased from \$500 to \$1,000 to conform to other comparable sections of this chapter. (See sections 1851 and 1852 of this title.)

Minor changes also were made in phraseology.

#### § 1855. Timber set afire.

Whoever, willfully and without authority, sets on fire any timber, underbrush, or grass or other inflammable material upon the public domain or upon any lands owned or leased by or under the partial, concurrent, or exclusive jurisdiction of the United States, or under contract for purchase or for the acquisition of which condemnation proceedings have been instituted, or upon any Indian reservation or lands belonging to or occupied by any tribe or group of Indians under authority of the United States, or upon any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

This section shall not apply in the case of a fire set by an allottee in the reasonable exercise of his proprietary rights in the allotment. (June 25, 1948, ch. 645, § 1, 62 Stat. 788.)

##### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 106 (Mar. 4, 1909, ch. 321, § 52, 35 Stat. 1098; Nov. 15, 1941, ch. 472, § 1, 55 Stat. 763).

Surplus verbiage and unnecessary enumerations were omitted.

Words "without authority" were inserted near beginning of section so as to remove any doubt as to scope or meaning of section.

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Minor verbal changes were made.

##### CROSS REFERENCES

Disposition of fines, see section 3613 of this title.

Protection against fires, see section 594 of Title 16, Conservation.

#### § 1856. Fires left unattended and unextinguished.

Whoever, having kindled or caused to be kindled, a fire in or near any forest, timber, or other inflammable material upon any lands owned, controlled or leased by, or under the partial, concurrent, or exclusive jurisdiction of the United States, including lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted, and including any Indian reservation or lands belonging to or occupied by any tribe or group of Indians under the authority of the United States, or any Indian allotment while the title to the same is held in trust by the United States, or while the same shall remain inalienable by the allottee without the consent of the United States, leaves said fire without totally extinguishing the same, or permits or suffers said fire to burn or spread beyond his control, or leaves or suffers said fire to burn unattended, shall be fined not more than \$500 or imprisoned not more than six months, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 788.)

## LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 107 (Mar. 4, 1909, ch. 321, § 53, 35 Stat. 1098; June 25, 1910, ch. 431, § 6, 36 Stat. 857; Nov. 15, 1941, ch. 472, § 2, 55 Stat. 764).

Words "without hard labor" which followed "six months" and preceded "or both" were omitted as unnecessary. (See reviser's note under section 1 of this title.)

Enumeration of applicable condemnation statutes was deleted and section extended and made applicable to all lands in process of condemnation by the government. This does no violence to the intent of Congress and clarifies the section considerably.

Other changes in phraseology were made.

## CROSS REFERENCES

Disposition of fines, see section 3613 of this title.

## § 1857. Fences destroyed; livestock entering.

Whoever knowingly and unlawfully breaks, opens, or destroys any gate, fence, hedge, or wall inclosing any lands of the United States reserved or purchased for any public use; or

Whoever drives any cattle, horses, hogs, or other livestock upon any such lands for the purposes of destroying the grass or trees on said lands, or where they may destroy the said grass or trees; or

Whoever knowingly permits his cattle, horses, hogs, or other livestock to enter through any such inclosure upon any such lands of the United States, where such cattle, horses, hogs, or other livestock may or can destroy the grass or trees or other property of the United States on the said lands—

Shall be fined not more than \$500 or imprisoned not more than one year, or both.

This section shall not apply to unreserved public lands. (June 25, 1948, ch. 645, § 1, 62 Stat. 788.)

## LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 110 (Mar. 4, 1909, ch. 321, § 56, 35 Stat. 1099).

Minor changes were made in phraseology.

## CROSS REFERENCES

Driving stock to feed on Indian lands, see section 179 of Title 25, Indians.

## Grazing—

Districts and privileges in Alaska, see section 471 et seq. of Title 48, Territories and Insular Possessions.

Lands, see section 315 et seq. of Title 43, Public Lands.

Provisions relating to fences and grazing generally, see Title 16, Conservation.

## § 1858. Survey marks destroyed or removed.

Whoever willfully destroys, defaces, changes, or removes to another place any section corner, quarter-section corner, or meander post, on any Government line of survey, or willfully cuts down any witness tree or any tree blazed to mark the line of a Government survey, or willfully defaces, changes, or removes any monument or bench mark of any Government survey, shall be fined not more than \$250 or imprisoned not more than six months, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 789.)

## LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 111 (Mar. 4, 1909, ch. 321, § 57, 35 Stat. 1099).

Minor changes were made in phraseology.

## CROSS REFERENCES

Survey of public lands, see section 751 et seq. of Title 43, Public Lands.

## § 1859. Surveys interrupted.

Whoever, by threats or force, interrupts, hinders, or prevents the surveying of the public lands, or of any private land claim which has been or may be confirmed by the United States, by the persons authorized to survey the same in conformity with the instructions of the Director of the Bureau of Land Management, shall be fined not more than \$3,000 or imprisoned not more than three years, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 789; May 24, 1949, ch. 139, § 42, 63 Stat. 95.)

## LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 112 (Mar. 4, 1909, ch. 321, § 58, 35 Stat. 1099).

Mandatory punishment provision was rephrased in the alternative. (See reviser's note under section 201 of this title.)

Minor changes were made in phraseology.

## AMENDMENTS

1949—Act May 24, 1949, amended section by substituting "Director of the Bureau of Land Management" in lieu of "Commissioner of the General Land Office".

## § 1860. Bids at land sales.

Whoever bargains, contracts, or agrees, or attempts to bargain, contract, or agree with another that such other shall not bid upon or purchase any parcel of lands of the United States offered at public sale; or

Whoever, by intimidation, combination, or unfair management, hinders, prevents, or attempts to hinder or prevent, any person from bidding upon or purchasing any tract of land so offered for sale—

Shall be fined not more than \$1,000 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 789.)

## LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 113 (Mar. 4, 1909, ch. 321, § 59, 35 Stat. 1099).

Imprisonment provision was reduced from "two years" to "one year," thus placing the offense in the category of misdemeanors which may be prosecuted on information. The lesser punishment seems adequate.

Minor changes were made in phraseology and arrangement.

## § 1861. Deception of prospective purchasers.

Whoever, for a reward paid or promised to him in that behalf, undertakes to locate for an intending purchaser, settler, or entryman any public lands of the United States subject to disposition under the public-land laws, and who willfully and falsely represents to such intending purchaser, settler, or entryman that any tract of land shown to him is public land of the United States subject to sale, settlement, or entry, or that it is of a particular surveyed description, with intent to deceive the person to whom such representation is made, or who, in reckless disregard of the truth, falsely represents to any such person that any tract of land shown to him is public land of the United States subject to sale, settlement, or entry, or that it is of a particular surveyed description, thereby deceiving the person to whom such representation is made, shall be fined not more than \$300 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 789.)

## LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 114 (Feb. 23, 1917, ch. 115, 39 Stat. 936).

Words "deemed guilty of a misdemeanor and" which preceded "punished" were omitted as unnecessary in view of definitive section 1 of this title. (See reviser's note under section 212 of this title.)

Minor changes were made in phraseology.

## § 1862. Trespass on Bull Run National Forest.

Whoever knowingly trespasses upon any part of the reserve known as Bull Run National Forest, in the Cascade Mountains, in the State of Oregon, or unlawfully enters thereon for the purpose of grazing stock, or engages in grazing stock thereon, or permits stock of any kind to graze thereon, shall be fined not more than \$500 or imprisoned not more than six months, or both.

This section shall not apply to forest rangers and other persons employed by the United States to protect the forest, or to Federal and State officers and employees of the water board of the City of Portland, State of Oregon, in the discharge of their duties. (June 25, 1948, ch. 645, § 1, 62 Stat. 789.)

## LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 109 (Mar. 4, 1909, ch. 321, § 55, 35 Stat. 1099).

The phrase "or enters thereon for the purpose of grazing stock" etc., was qualified by the adjective "unlawfully" to make it clear that grazing permit holders are exempted.

Changes were made in phraseology and arrangement, but without change of substance.

## § 1863. Trespass on national forest lands.

Whoever, without lawful authority or permission, goes upon any national-forest land while it is closed to the public pursuant to lawful regulation of the Secretary of Agriculture, shall be fined not more than \$500 or imprisoned not more than six months, or both. (Added May 24, 1949, ch. 139, § 43, 63 Stat. 95.)

Chapter 93.—PUBLIC OFFICERS AND EMPLOYEES  
Sec.

- 1901. Collecting or disbursing officer trading in public property.
- 1902. Disclosure of crop information and speculation thereon.
- 1903. Speculation in stocks or commodities affecting crop insurance.
- 1904. Disclosure of information or speculation in securities affecting Reconstruction Finance Corporation.
- 1905. Disclosure of confidential information generally.
- 1906. Disclosure of information by bank examiner.
- 1907. Disclosure of information by farm credit examiner.
- 1908. Disclosure of information by National Agricultural Credit Corporation examiner.
- 1909. Examiner performing other services.
- 1910. Nepotism in appointment of receiver or trustee.
- 1911. Receiver mismanaging property.
- 1912. Unauthorized fees for inspection of vessels.
- 1913. Lobbying with appropriated moneys.
- 1914. Salary of Government officials and employees payable only by United States.
- 1915. Compromise of customs liabilities.

## CROSS REFERENCES

Bribery and graft, see sections 201 et seq. of this title.  
Embezzlement and theft, see sections 641 et seq. of this title.

Government employee having interest in Indian contracts, see section 437 of this title.

## Officers—

Interested in claims against Government, see section 283 of this title.

Receiving compensation in matters relating to proceedings, contracts, claims, etc., see section 281 of this title.

Postal employee having interest in mail contract, see section 440 of this title.

Practice in Court of Claims by Members of Congress, see section 282 of this title.

Prosecution of claims for supplies for armed forces, see section 283 of this title.

Purchase of claims for fees by court officials, see section 291 of this title.

## § 1901. Collecting or disbursing officer trading in public property.

Whoever, being an officer of the United States concerned in the collection or the disbursement of the revenues thereof, carries on any trade or business in the funds or debts of the United States, or of any State, or in any public property of either, shall be fined not more than \$3,000 or imprisoned not more than one year, or both; and shall be removed from office, and be incapable of holding any office under the United States. (June 25, 1948, ch. 645, § 1, 62 Stat. 790.)

## LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 192 (Mar. 4, 1909, ch. 321, § 103, 35 Stat. 1107).

Minor changes were made in phraseology.

## CROSS REFERENCES

Disqualification from holding any office of honor, trust, or profit, additional grounds for, see sections 202, 205, 206, 207, 216, 281, 282, 592, 593, 2071, 2381, 2385, and 2387 of this title.

## § 1902. Disclosure of crop information and speculation thereon.

Whoever, being an officer, employee or person acting for or on behalf of the United States or any department or agency thereof, and having by virtue of his office, employment or position, become possessed of information which might influence or affect the market value of any product of the soil grown within the United States, which information is by law or by the rules of such department or agency required to be withheld from publication until a fixed time, willfully imparts, directly or indirectly, such information, or any part thereof, to any person not entitled under the law or the rules of the department or agency to receive the same; or, before such information is made public through regular official channels, directly or indirectly speculates in any such product by buying or selling the same in any quantity, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both.

No person shall be deemed guilty of a violation of any such rules, unless prior to such alleged violation he shall have had actual knowledge thereof. (June 25, 1948, ch. 645, § 1, 62 Stat. 790.)

## LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 214 (Mar. 4, 1909, ch. 321, § 123, 35 Stat. 1110).

Words "agency thereof" were inserted in lieu of "office thereof" at beginning of section in conformity with section 6 of this title.

Minor changes were made in phraseology.

## § 1903. Speculation in stocks or commodities affecting crop insurance.

Whoever, while acting in any official capacity in the administration of any Act of Congress relating to